G. R. S. IX-5]

Previous references

File No. 40-15

191 5-16

Serial Nos. 1 to 6

(Legis)

Later references.

Legis 4-9 (1-4)

4.7.991-34 (1-2)

GENERAL AND REVENUE SECRETARIAT.

Preserve
NDN
30/7/29..

Serial Nos. 1 to 6

(3W)

Part B for August 1917

SUBJECT.

Insurance Regulation — 1917

WD 788—GPB—5,000—7-11-19

G.R.S. 11] 1915-16

GENERAL AND REVENUE SECRETARIAT.

(Legis)

G.R.
G. 7. 62-15

NOTES.

File No. 60-15

FILE HEADING.

The Mysore State Life Insurance Bill

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

GPB—35,000—15-6-12

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 40 of 1915.

Serial No. | Extract from notes at page 3 in G. T. 62-15 in the matter of payment of bonus amount less than Rs1000 to the heir of the deceased insured without the production of a succession certificate or probate or letters of administration.

× × ×

Legislation seems necessary. Mere rules will not suffice to absolve Government from liability to the rightful heir if any error is committed and payment is made to a wrong party. The rules will not have the force of law so as to vest in the Secretary the powers of a final judicial tribunal. The views of the Govt. Advocate in Banking File No. 6 of 1907 is also to the same effect.

Br. II — Init G.S. 12/11.

~~Sd/-~~

The necessary legislative action may be taken.

H. Sees — Init S.S. 3/12

I agree

Br. III — Init J.S.C. 7/12

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | Legis | File No. 40 | of 1915.

Serial No.

1. Subv. with a draft Bill with statement of Objects and reasons.

The Bill has been mainly framed on the lines of clauses 3 and 5 of the Provident Fund Bill which has been based on the Govt of India Provident Funds Act, 1897. The definition of the word "insurer" is taken from the State Life Insurance Rules. As regards the word 'bonus' the it is not clear whether exemption from production of a succession certificate is to be granted in the case of every individual policy where it does not exceed rupees one thousand or only to the ~~aggre~~ case where the aggregate amount payable ~~on~~ ~~individual~~ to any individual insured on the several policies that may be held by him together does not exceed one thousand rupees. The definition of the word 'bonus' now given in the Bill applies to the latter case. If it is the intention to exempt in the case of each separate policy for less than a

NOTE—Contn. sheet.

GPB —70,000—17-12-15

234

G. R. S. 12] Ins 469-15

General and Revenue Secretariat. | Legis File No. 40 of 1915.

Serial No.

thousand rupees then the definition of the word 'bonus' may be altered as follows:-

"bonus" ~~means~~ is the amount secured by the insured on any Policy ~~or bonus certificate~~ as becoming payable to the insured or his nominees or heirs according to the rules framed by Govt from time to time in this behalf.

In this case the term "Policy" should also be defined and the ~~following~~ definition given in the Insurance Rules may be adopted.

CB 25/2/16 NM

2) Before the draft is scrutinised, the following information may be obtained from Bor II.

1 whether the benefit is intended also for those who are not Govt Servants and who may insure under the Public Insurance Scheme now under consideration

2 whether in "bonus" the committee intend to include also the profits may have annually declared, or whether the two are distinct, may be paid to different persons

EB 26/2

Bor II)

MR

NOTE—Contn. sheet.

GPB —70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | Leg. File No. 20 of 1915.

Serial No.

Fig. W.O. No. 1711 of 15

3)
In regard to query 1) the rules for the administration of the Public Insurance scheme are under preparation & nothing definite can be forecasted at this stage whether the benefit is meant to be intended to the insurants in the public line or not). Perhaps the & in regard to query 2) the profits are distributed in the form of Reversionary bonus certificates to policy holders and form part of bonus proper.

4) Legislation action may at present be confined to Govt Servants alone as the letter of the Insurance Insurance Office does not contemplate or refer to private persons insuring in the Public Branch. In the case of Govt Servants insurance is compulsory & the Concessions required for them may not be necessary or desirable for the general public in whose case insurance is purely optional.

Leg 9/3 Br III) 8.3.16

5) Subs. 6) Permission is first necessary for legislation on this subject.
13/3/16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

f pri 449-15

G. R. S. 12]

General and Revenue Secretariat. Legs File No. 40 of 1915.

Serial No.	
	7) The draft Bill and statement of Objects and reasons may kindly be approved 8/3/16 Asst Secy 8) Payments in such cases are now ordered by the President & Secy Committee of the Insurance Committee. Sir I have altered the words— The bill may so before the Council. H. Dewan 26/3/16
5161 30.3.16	9) Elsewhere no objection 8.4.16 K6 onw 8/4
	10) For favour of orders pre circulation 8/4 Secy) C S on Shell Pfd

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(For disposal at a Meeting.)

(14)

No. C. 333

12.4.1916.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause II of the Schedule.)

Draft Mysore State Life Insurance Bill.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasinga Rao

11th April 1916. *Secretary to Government.*

Extraordinary Member of Council. 12.4.16. 2nd July 1914

249/13.4.16 **First Member of Council.** 14.4 2nd July 1914

1.48./12.4.16. **Second Member of Council.** 12/4/16 2nd July 1914

WD 2012—GPB—1 000—9-2-16

Extract from the Proceedings of the 382nd Meeting of the Council of His Highness the Maharaja, held at Bangalore, on the 3rd May 1916

---

14. SUBJECT.- (Clause ii of the schedule.)

Draft Mysore State Life Insurance Bill.

OPINION OF THE COUNCIL.

") The Bill may be placed before the Legislative Council.

Sd. M. Visvesvaraya,
Dewan of Mysore.

"EXTRACT"

Secretary to Government,
General Department.

W. D. 1364—GPB—500—14-12-15

G. R. S. 12]

General and Revenue Secretariat. | File No. of 191 .

Serial No.

12)
A.D.S.N 15 put-up. Dewan-y-Rao
Dewan) 8/5

6004
9.5.16

NOTE—Contn. sheet.

Submitted to His Highness.

13) Under Rule 23 of the State Life Insurance Rules when a person who has insured his life dies without nominating another to receive the bonus, it becomes payable to the legal heir only on his producing a certificate of succession.

14) 2. On account of the delay, trouble and expense involved in obtaining a certificate of succession, the heirs do not in many cases derive immediately the full benefit of the scheme.

15) 3. The Secretary to the State Life Insurance Committee urges in his letter* No.736 dated 26th/27th August 1915 the necessity of removing this difficulty in cases where the bonus payable to the insured does not exceed Rs.1,000, by exempting the heirs from the production of the certificate of succession, as in the case of Savings Banks Deposits. It is also necessary that the Committee should be absolved from all liability if any error is unwittingly committed in paying the amount to the wrong party.

* F.

16) 4. The accompanying Bill has accordingly been prepared for giving effect to this proposal.

* A

17) 5. The Council are in favour of proceeding with the Bill.

* Page 6 of office notes.

18) 6. I therefore solicit His Highness' gracious approval for placing the Bill before the Legislative Council.

M. Visvanaya -

13th May 1916 -

HR

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Permission to place the Mysore State Life Insurance Bill, before the Legislative Council.

1128

Order.

(a) ~~KRW~~

24/5/16

Sunday
28.5.16

(b) Draft Rules today

J. Dn. 4469-15

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 40 of 191 5.

Serial No.

21) Subt. with a draft to the Resident. The draft has to issue from the Dewan's Office.

30/5/16

22) For favour of approval of the Dewan

Dewan

Secretary) 23) The draft may be approved.

Dewan)

Dewan of Mys 31/5

Dewan 31/5.

6461
1-6-15

/

S.A. 8/6

26) The draft approved by the Dewan has been issued and placed on file (vide Dy. No. 4087) 8-6-16)

C&R 6.6.16

C/ 8/6/16

1 The Honble D. V. Webb Esq,
Resident in Mysore
No 4087 6th June 1916
Forwards copy of the Mysore State Life Insurance Bill and states that the bill will be placed before the Mysore Legislative Council

2 D.O. Letter No 4208 dated 16/6/1916
From the F.A. Resident in Mysore
Informs that there is no prima facie Objection to the Bill being placed before

NOTE—Contn. sheet.

GPB—70,000—17-12-15

g 3173-15

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 40 of 1915.

Serial No.	
	the Legislative Council
25)	Subd. for orders as to the Member of Council who will take charge of the Bill
1/11/16	26) May the Financial Secretary this or the President of the Insurance Council be requested to take charge of the Bill?
	Secy) First Member) Dewan
2348 4-11-16	27) I don't see why this should not be done.
	28. Neither do I.
Legis 22/11	22-11-16 29. Agenda may be prepared accordingly
	30. Subd. The name has been inserted in the agenda. The file has to be sent to the Financial Secretary for perusal of the Dewan's order and ~~and for signing thereon~~ return of the file
23/11/16	Financial Secy) 31) Seen: Marks

NOTE—Contn. sheet.

GPB—70,000—17-12-15

3173-15

G. R. S. 12]

General and Revenue Secretariat. | Legs File No. 40 of 1915-16

Serial No.	
32)	Leave to introduce the Bill was granted on 5/12/16 and was read and referred to a Select Committee on the 20th March 1917. The Report of the the Select Committee and the Bill as amended by them ~~was~~ were considered in Council on the 29th June 1917 and was passed that day with two slight modifications. His Highness the Maharaja's sanction is necessary to promulgate it into law. A draft final note by the 1st member and a draft submit note are put up. A copy of the Bill as passed is also put up
	9/7/17
33)	In favour of approval.
	Dy 10/7
	First Member
34)	Fair final note signed by the 1st member is put up. with a D.S.N.
	Dewan Dewan's Letter 11/7
	11/7/17 Dy 11/7
	12-7 / 11-7
	244 / 12.7.17

NOTE—Contn. sheet.

GPB—70,000—17-12-15

Final Note by the First Member of Council.

Subject:—

The Mysore State Life Insurance Bill.

Leave to introduce the Mysore State Life Insurance Bill into the Legislative Council was granted on the 5th December 1916 and the Bill was read and referred to a Select Committee on the 20th March 1917. The Report of the Select Committee with the Bill as amended by them was considered by the Legislative Council on the 29th June 1917 and was passed that day with a few amendments. It now requires the gracious sanction of His Highness for promulgating the Bill as law.

A copy of the Bill as finally passed by the Legislative Council is also submitted.

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the subject of* the MYSORE STATE LIFE INSURANCE BILL, *for His Highness' gracious approval.*

M. Visvesvaraya
Dewan.
14th MS 1917.

Record of Cases submitted for the Orders of His Highness the Maharaja

55

Subject.

Permission to promulgate the Mysore State Life Insurance Bill.

Order.

~~KRW~~
20/7/17

Fit Sunday
22.7.17.

3173-15

G. R. S. 12]

General and Revenue Secretariat.

Legis File No. 40 of 1915

Serial No.	
	Subv. with a draft to the Compiler, Mysore Gazette 24/7/17 Done 24/7
3	Dw J 275 & 24/7/17 To the Compiler, Mysore Gazette Forwards for publication as Regn No IV of the bill 1917 Subv. 8 spare copies of the Regn have been received. Two drafts are to the Residency forwarding 9 copies and the other to the Hyderabad Durbar forwarding 2 copies are put up as usual A 1418 9/8/17 Done 9/8
4	To the H. A. Resident No. POL 148 10th Aug. 1917 Forwards 9 copies of the Mysore State Excise Insurance Regulation 1917-C No. IV of 1917
5	To the Secy to H. H. the Nizam No D 477 11th Aug. 1917 Forwards 2 copies of the Regulation

NOTE—Contn. sheet.

GPB—70,000—17-12-15

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. File No. of 191

Serial No. 6

No 2725 dated 19/8/17

From the Secretary to Govt H.H. the Nizam's Govt Judicial & Pol Hyderabad.

Acknowledges the two copies of Rep IV sent

Subd. for information

A 22/8

G.R.S. 261

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Legis
File No. 40-15
Serial No. 1

General and Revenue Secretariat

( )

, the *191*

D.O. No. 4087 dt 6.6.16.
End: 2

Date of issue 6. 6 1916

Signed by Dewan

To

My Dear Sir

I enclose herewith copy of ~~a Bill~~ the Mysore State Life Insurance Bill

The copy of the Statement of Objects and reasons that accompanies the Bill explains the Objects and scope of the proposed ~~amendment~~ enactment.

The Bill will in due

over.

course be placed before
the Mysore Legislative
Council.

Jurisprudence
bb 6-6-16

Dewan
Dewan
91/5
Gs 30/5

To The Hon'ble
H. V. Cobb Esq. C.S.I., C.I.E.
Resident in Mysore

List of enclosures.

Copied by

Examined by

GPB—20,000—14-2-14

The Mysore State Life Insurance Bill

Whereas it is expedient to provide for the payment, in certain cases, of the bonus secured by an insurance in the Mysore State Life Insurance Scheme, without requiring the production of a succession certificate or ~~a~~ probate or letters of administration to the estate of the deceased insured; His Highness the Maharaja is pleased to enact as follows:-

short title

1.(1) This Regulation may be called the Mysore State Life Insurance Regulation

extent

(2) It shall extend to the whole of Mysore

application

(3) It shall apply to the case of any bonus that may become payable under the rules framed by of the Scheme to the

Ltr. 9/39-5

insured or his nominee or heir on or after the date of the passing of this Regulation

Definition

2. In this Regulation unless there is anything repugnant to the subject or content :—

(1) "Insured" means any person on whose life an insurance has been effected with the Mysore State Life Insurance Committee and has been accepted by them

(2) "Bonus" ~~is~~ means the amount secured by the insurance as becoming payable to the insured or his nominees or ~~his~~ heirs according to the rules framed by Govt. from time to time in this behalf

Payment on death of the insured.

3. When the insured dies, the Officer whose duty it is to make payment of the bonus may pay it ;

(a) to any person ~~entitled to receive it under~~ nominated by the insured according to the rules framed by Govt. in this behalf ;

(b) in default of any such nomination, to the person who produces a succession certificate or probate ~~of~~ or letters of administration obtained under the law in force ~~as~~ claiming to be entitled to receive such sum, provided that where the sum payable does not exceed one thousand rupees, payment may be made to such person ~~as whom the officer or the person making the payment~~, after reasonable enquiry, finds to be entitled to receive it.

as the President ~~or~~ and Secretary of the Insurance Committee,

4. No suit or other legal proceeding shall lie against any person in respect of anything done in pursuance of the provisions of this Regulation.

Protection for anything done in good faith under this regulation

Draft.
23/2/16

21/2/16

Protection for ... [illegible]
[illegible] [illegible]
the regulation

11. No suit or other legal proceeding shall lie against any person in respect of anything done in pursuance of the provisions of this regulation.

Statement of Objects and Reasons

Under Rule 23 of the Insurance
State Life Insurance Rules, where
an insured dies without nominating
any person, the bonus is payable
to his heirs on account of the
delay, trouble and expense involved
in obtaining a certificate of
Succession, the heirs do not in many
cases derive the immediate
full benefits of the scheme.
It is accordingly proposed to exempt
persons entitled to the sum from
the production of a certificate of
Succession in cases where the
amount does not exceed one
thousand rupees. Provision has
accordingly been made in such
cases for payment to the person
found entitled to the amount
after enquiry. It is necessary in
such cases that the Committee
should be absolved from liability
if any error is committed and

pagination is made to a
wrong party. The Bill is
framed to achieve this object.

26/3/16

Eds
mps.

Legis 40-15-2 J 3173

D. O. No. F 3644

D. O. No. 4208.

THE MYSORE RESIDENCY,

Bangalore, 16th June 1916.

Dear Dewan Sahib

I am desired to acknowledge the receipt of your d.o. letter No. 4087, dated the 6th June 1916 forwarding a copy of the Mysore State Life Insurance Bill, and in reply, to say that the Resident sees no primâ facie objection to the Bill being laid before the Legislative Council.

Sanctd
19.6.16 RO
19/6/16

Yours sincerely
J. S. Gwatkin.

Sir M. Visvesvaraya, K.C.I.E.,

Dewan of Mysore.

Kpk

L 67 ms C.V.
25/7/17

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, the.....*191*

Date of issue.....24/7/17.....

Signed by..W. Venkata Rao

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

Section. Legis
File No. 40-15-
Serial No. 3

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. 9275

Ordered that the accompanying Regulation (the Mysore State Life Insurance Regulation) which received the assent of His Highness the Maharaja, on the 20th January 1917 day of July 1917 be published as Regulation No. IV of 1917, in the *Mysore Gazette* for general information.

24/7
Secretary to Government.
G.S

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of 200 spare copies in English, and 100 spare copies in Kannada to this office, and 200 spare copies in English and 100 spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

24-7-17

REGULATION No. IV OF 1917.

The Mysore State Life Insurance Regulation.

(*Received the assent of His Highness the Maharaja on the 20th day of July 1917.*)

Whereas it is expedient to provide for the payment, in certain cases, of the bonus secured by a policy in the Mysore State Life Insurance without the production of a succession certificate, probate or letters of administration to the estate of the deceased insured; His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. (1) This Regulation may be called the Mysore State Life Insurance Regulation, 1917.

Extent.

(2) It shall extend to the whole of Mysore.

Application.

(3) It shall apply to the case of any bonus that may become payable under the rules to the insured or his nominee or heir on or after the date of the passing of this Regulation.

Definition.

2. In this Regulation, unless there is anything repugnant to the subject or context,—

(1) "Rules" means rules relating to the Mysore State Life Insurance for the time being in force:

(2) "Bonus" includes the amount secured by the insurance as becoming payable to the insured or his nominees or heirs according to the rules:

(3) "Insured" means any person on whose life an insurance has been effected with the Mysore State Life Insurance Committee and has been accepted by them.

Payment on death of the insured.

3. When an insured dies, without making any nomination in accordance with the rules, the officer whose duty it is to make payment of bonus, may, notwithstanding anything to the contrary in the rules, pay it, provided that the sum payable does not exceed Rs. 1,000, to such person as the President of the Insurance Committee, after reasonable enquiry, finds to be entitled to receive it.

Protection for anything done under the Regulation.

4. No suit or other legal proceeding shall lie against any such officer in respect of anything in good faith done or intended to be done in pursuance of the provisions of this Regulation.

M. VISVESVARAYA,
Dewan.

2 drafts

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191 .

Section Legis
File No. 40-15
Serial No. 4

No. Pol. 448/Ee. 9 copies

Date of issue 10th Aug. 1917

Signed by S. Sa. Ranasinghe.

To

The F. A. Resident in
Mysore, Bangalore

Sir

I am directed to forward herewith 9 copies of the Mysore State Life Insurance Regulation, 1917, (No IV of 1917) which received the assent of His Highness the Maharaja on the 20th day of July 1917.

I have &c.

Eg 9/8/17

for secretary to Govt

over.

E. d

9/8/17

S.S. 9/8

2 draft

G. R. S. VI—G/32]

1+1
1917

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section 40
File No. 40-15
Serial No. 5

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

No. J 477 (2 copies)

Date of issue 11/8/17

Signed by W. G. Scurfield
for

To

The Secretary to the
Government of His Highness
the Nizam
Judicial Department
Hyderabad, (Deccan)

Sir

I am directed to forward
herewith ~~Rs~~ 2 copies of
Regulation No IV of 1917
I have &

for Secretary to Govt.

over E.D

9-8-17

G. Press, No. 367—10-9-16—2,000.

JUDICIAL, POLICE AND GENERAL SECRETARIAT.

No. 2725

Dated 19th August 1917.

English Department.

GEN. & REV. SECRETARIAT
III FROM
21 AUG 1917
JUDICIAL
21 AUG 1917

Legis

...ARY No. J 469
19 -19
...ECTION Legis
FILE No. Enclosures.
40-15
SERIAL No. C

THE SECRETARY TO HIS HIGHNESS THE NIZAM'S GOVERNMENT,

Judicial, Police and General Departments,

Hyderabad (Deccan).

To

The Secretary to the

Government of H.H.the

Maharaja of Mysore, General Deptt:

B A N G A L O R E.

SIR,

I have the honour to acknowledge, with thanks, the receipt of the two copies of Regulation No.IV of 1917 which were forwarded with your letter No.J-477/Legis: 40-15, dated 11-8-1917.

I have the honour to be,

Sir,

Your most obedient Servant,

Asstt: Secretary.

NOTIFICATION.

No. 254—L. C., dated 11th December 1916.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Mysore State Life Insurance Bill is published for general information together with a statement of objects and reasons.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

[The portions in square brackets are those omitted and those in italics newly added by the Select Committee.]

The Mysore State Life Insurance Bill.

(As amended by the Select Committee)

Whereas it is expedient to provide for the payment, in certain cases, of the bonus secured by [an insurance] in the Mysore State Life Insurance [Scheme] without the production of a succession certificate, probate or letters of adminstration to the estate of the deceased insured; His Highness the Maharaja is pleased to enact as follows:—.

Short title. 1. (1) This Regulation may be called the Mysore State Life Insurance Regulation.

Extent. (2) It shall extend to the whole of Mysore.

Application. (3) It shall apply to the case of any bonus that may become payable under the rules of the scheme to the insured or his nominee or heir on or after the date of the passing of this Regulation.

Definition. 2. In this Regulation unless there is anything repugnant to the subject or context,—

[(1)] "Insured" means any person on whose life an insurance has been effected with the Mysore State Life Insurance Committee and has been accepted by them:

(2) "Bonus" [means] the amount secured by the insurance as becoming payable to the insured or his nominees or heirs according to the rules [framed by Government from time to time in this behalf.]

Payment on death of the insured. [3. When the insured dies, the officer whose duty it is to make payment of the bonus may pay it—

(*a*) to any person nominated by the insured according to the rules framed by Government in this behalf,

(*b*) in default of any such nomination, to the person who produces a succession certificate, or probate or letters of administration obtained under the law in force claiming to be entitled to receive such sum provided that where the sum payable does not exceed one thousand rupees, payment may be made to such person as the President and Secretary of the Insurance Committee, after reasonable enquiry, find to be entitled to receive it.]

Protection for anything done under this Regulation. 4. No suit or other legal proceeding shall lie against any person in respect of anything done in pursuance of the provisions of this Regulation.

STATEMENT OF OBJECTS AND REASONS.

Under Rule 23 of the Mysore State Life Insurance Rules, when an insured dies without nominating any person, the bonus is payable to his heirs. On account of the delay, trouble and expense involved in obtaining a certificate of succession, the heirs do not in many cases derive immediately the full benefits of the scheme. It is accordingly proposed to exempt persons entitled to the sum from the production of a certificate of succession in cases where the amount does not exceed one thousand rupees. Provision has been made in such cases for payment to the person found entitled to the amount after enquiry. It is necessary in such cases that the Committee should be absolved from liability if any error is committed and payment is made to a wrong party. The Bill is framed to achieve these objects.

NOTIFICATION.

No. 460—L. C., dated Bangalore, 30th May 1917.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee appointed to consider the Mysore State Life Insurance Bill together with the Bill as amended by them is published for general information :—

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Mysore State Life Insurance Bill.

We the members of the Select Committee appointed to consider the Mysore State Life Insurance Bill, have the honour to submit the following report to the Council :—

2. We have examined the Bill carefully and have made the following amendments therein :—

Clause 2. We have thought it necessary to define the term "rules" and have accordingly inserted the following sub-clause as (1) renumbering the present (1) as (3) :—

"(1) 'Rules' means rules relating to the Mysore State Life Insurance for the time being in force."

As a consequential amendment the words "framed by Government from time to time in this behalf" occurring in sub-clause (2), have been omitted. We have substituted the word "includes" for the word "means" in sub-clause (2) of clause 2 so as to make the term "Bonus" include reversionary bonus, future profits, etc., added on to the original amounts secured by the insurance.

Clause 3. As no legislative authority is necessary to pay the bonus to the nominee of the insured, clause (*a*) is considered superfluous. We also consider that the finding of the President should be considered sufficient for making the payment, and that the Secretary should not be placed on a par with the President. There may also arise certain practical difficulties if the present clause were allowed to stand as it is. Hence, we have substituted the following new clause for clause 3 :—

"3. Where an insured dies, without making any nomination in accordance with the rules, the Officer whose duty it is to make payment of bonus, may, notwithstanding anything to the contrary in the rules, pay it, provided that the sum payable does not exceed rupees 1,000, to such person as the President of the Insurance Committee after reasonable enquiry finds to be entitled to receive it."

Clause 4. In order to make the wording of this provision correspond with that of a similar provision in the Provident Funds Regulation, 1916, which was adopted by the Council a short time back after full discussion, we have inserted the words "or in good faith intended to be done" after the word "done".

3. We also recommend to Government that a rule may be inserted in the Insurance Rules to the effect that the President of the Insurance Committee should refrain from taking action under clause 3 of the Bill in cases where he has notice of proceedings pending in any Civil Court in the matter of payment of the same bonus.

4. The other amendments are only of a verbal nature.

5. We recommend that the Bill as amended be passed.

6. As the Bill has been materially amended, we recommend that the Bill as amended by us may also be published in the Gazette.

J. S. CHAKRAVARTI.
P. RAGHAVENDRA RAO.
K. P. PUTTANNA CHETTY.
C. S. DORASWAMY IYER.

NOTE OF DISSENT.

1. We have now two sets of rules for Life Insurance, under State Agency in Mysore. The first set is the rules of 1891 and the subsequent Government Order of the Financial Department which compulsorily enjoins all Government servants in the State to insure their lives, and a subsequent set of rules whereby the provision and privileges of these rules are extended to the general public called the "Public Insurance Rules." There is till now no legislative enactment embodying these provisions of the two sets of rules into a comprehensive enactment like the Indian Life Insurance Act of 1912, as repealed and amended by Acts of 1914. It is not now proposed to introduce it so far as it is applicable to Mysore.

2. By the present Bill it is proposed to frame a legislative enactment as could be gathered from the Statement of objects and reasons appended to the Bill "that to obviate the delay, trouble and expense involved in obtaining a certificate of succession to the heirs who do not in many cases derive immediately the full benefit of the schemes, it is proposed to exempt persons entitled to a sum less than Rs. 1,000 from the production of a certificate of succession and that it is necessary in such cases that the *Committee should be absolved from liability if any error is committed and payment is made to a wrong party. The Bill is framed to achieve these objects.*"

3. Whether we can resort to a legislative enactment only to strengthen the hands of the executive and render an order of a Court of Justice nugatory, by payment made to a wrong party ostensibly without even taking a security for the amount from the person to whom it is paid and without a comprehensive enactment as suggested above, is a matter on which I cannot unhesitatingly agree with the other members of the Committee, wherein Mysore, the right of suit against the Government is not conceded to a subject of the State.

4. However, Rule 23 of the Rules of 1891, provides that the President and Secretary and in doubtful cases the Committee shall authorize the payment * * * * * * failing such nominee to his legal heirs declared as such by a competent Court of Law and on the surrender of the Policy.

5. It is now proposed to go behind these salient rules without even providing for security which will involve the risk of a successful claimant in a Court of Law of being left without the chance of recovering the money he is entitled to, and we are not aware of the personnel of the President and Committee referred to.

6. I propose that a provision like Section 4 of the Government Savings Bank Act may be introduced into the Bill that "Where an insured dies having insured his life for a sum less than Rs. 1,000 and if a probate, letters of administration under Regulation 1914, or a certificate granted by a competent Court of Law authorising a person to receive the Policy amount within three months of the death of the Insured, is produced by a claimant, the President may pay the said sum.

Provided that the President may pay the same at any time to any *bona fide* claimant appearing on reasonable enquiry to be entitled to receive it, on his furnishing satisfactory security to repay the same with interest at 6 per cent per annum, if it is afterwards found that the person receiving the same is not actually entitled to receive the amount."

In the above view, I beg to disagree with the other members of the Select Committee.

M. BASAVA IYA.

Note.—Mr. B. Narasinga Rao, who was also a member of the Select Committee was absent from the meeting.

The Mysore State Life Insurance Bill.

(As amended by the Select Committee.)

[The portions in square brackets are those omitted and those in italics newly added by the Select Committee.]

Whereas it is expedient to provide for the payment, in certain cases, of the bonus secured by [an insurance] *a policy* in the Mysore State Life Insurance [Scheme] without the production of a succession certificate, probate or letters of administration to the estate of the deceased insured; His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. (1) This Regulation may be called the Mysore State Life Insurance Regulation.

Extent

(2) It shall extend to the whole of Mysore.

Application.

(3) It shall apply to the case of any bonus that may become payable under the rules of the scheme to the insured or his nominee or heir on or after the date of the passing of this Regulation.

Definition.

2. In this Regulation unless there is anything repugnant to the subject or context,—

(1) "Rules" means rules relating to the Mysore State Life Insurance for the time being in force:

(2) "Bonus" [means] *includes* the amount secured by the insurance as becoming payable to the insured or his nominees or heirs according to the rules: [framed by Government from time to time in this behalf.]

[(1)] *(3)* "Insured" means any person on whose life an insurance has been effected with the Mysore State Life Insurance Committee and has been accepted by them.

[Payment on death of the insured.]

[3. When the insured dies, the Officer whose duty it is to make payment of the bonus may pay it—

(a) to any person nominated by the insured according to the rules framed by Government in this behalf,

(b) in default of any such nomination, to the person who produces a succession certificate, or probate or letters of administration obtained under the law in force claiming to be entitled to receive such sum, provided that, where the sum payable does not exceed Rs. 1,000, payment may be made to such person as the President and Secretary of the Insurance Committee, after reasonable enquiry, find to be entitled to receive it.]

Payment on death of the insured.

3. When an insured dies, without making any nomination in accordance with the rules, the Officer whose duty it is to make payment of bonus, may, notwithstanding anything to the contrary in the rules, pay it, provided that the sum payable does not exceed Rs. 1,000, to such person as the President of the Insurance Committee, after reasonable enquiry, finds to be entitled to receive it.

Protection for anything done under the Regulation.

4. No suit or other legal proceeding shall lie against any ~~person~~ such Officer in respect of anything done *or ~~in good faith~~ intended to be done* in pursuance of the provisions of this Regulation.

in good faith